

1 Caroline N. Mitchell (State Bar No. 143124)
2 cnmitchell@jonesday.com
3 Elaine Wallace (State Bar No. 197882)
ewallace@jonesday.com
4 David C. Kiernan (State Bar No. 215335)
dkiernan@jonesday.com
JONES DAY
5 555 California Street, 26th Floor
San Francisco, CA 94104
6 Telephone: (415) 626-3939
Facsimile: (415) 875-5700

7 Attorneys for Plaintiff
PATRICK M. MCCOLLUM, et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK M. McCOLLUM, et al.,

Plaintiffs,

V.

THE STATE OF CALIFORNIA, et al.,

16 Defendants

Case No. C 04-03339 CRB

**STIPULATED REQUEST AND
[PROPOSED] ORDER EXTENDING TIME
TO FILE SUMMARY JUDGMENT REPLY
BRIEFS**

Courtroom: 8, 19th Floor
Judge: Hon. Charles R. Breyer
Hearing Date: December 12, 2008
Hearing Time: 10:00 am

Pursuant to Civil Local Rules 6-2 and 7-12 and this Court's Standing Order, Plaintiff Patrick McCollum and Defendants hereby submit this stipulated request to extend the date for filing reply briefs on the parties' cross-motions for summary judgment by one week.

The parties' reply briefs are currently due on November 28, 2008, *i.e.* the day after Thanksgiving. Since the Court is closed that day, the parties are required to file their briefs on Wednesday, November 26 instead. That would give the parties only three business days after receipt of the opposition briefs to draft and file their reply briefs. In addition, the attorney at Jones Day with primary responsibility for the reply brief will be traveling on November 26. The

1 parties therefore request that the Court extend the reply briefing date from Friday, November 28
2 to the following Friday, December 5, 2008.

3 DATED: November 10, 2008 JONES DAY
4

5 By: /s/ David Kiernan
6 David Kiernan

7 Attorneys for Plaintiff
8

9 DATED: November 10, 2008 STATE OF CALIFORNIA, ATTORNEY
10 GENERAL'S OFFICE

12 By: /s/ David A. Carrillo
13 David A. Carrillo, Deputy Attorney
14 General

15 Attorneys for Defendants
16

17 PURSUANT TO STIPULATION, **IT IS SO ORDERED.**

19 Dated: November 14, 2008

